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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: John Clark Lagarias

Attorney Docket No.:  
UCDVP009/1999-219-1

Application No.: 09/272,809

Examiner: Jana A. Hines

Filed: 03/19/1999

Group: 1645

Title: PHYTOFLUORS AS FLUORESCENT  
LABELS

Confirmation No.: 6118

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**CERTIFICATE OF EFS-WEB TRANSMISSION**

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on September 4, 2008.

Signed: /Swapnali Joshi/  
Swapnali Joshi

**NOTICE OF APPEAL**

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed March 21, 2008 finally rejecting Claims 1, 3-5, 7, 8, 10-19 and 22-32.

The item(s) checked below are appropriate:

Appeal Fee:  \$255.00 (Small Entity)  \$510.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

<u>Months</u>	<u>Large Entity</u>	<u>Small Entity</u>
<input type="checkbox"/>	one \$120.00	\$ 60.00
<input type="checkbox"/>	two \$460.00	\$230.00
<input checked="" type="checkbox"/>	three \$1,050.00	\$525.00

If an additional extension of time is required, please consider this a petition therefor.

of \$  An extension for        month(s) has already been secured and the fee paid therefor is deducted from the total fee due for the total months of extension now requested.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Total Fee Due

Notice of Appeal Fee	\$255.00
Extension Fee (if any)	\$525.00
 Total Fee Due	 \$780.00

Enclosed is Check No.                  in the amount of \$                  .

The Commissioner is authorized to charge the required fees, and/or any additional fees or credit any overpayment to Deposit Account No. 504480, (Order No. UCDVP009).

Respectfully submitted,  
Weaver Austin Villeneuve & Sampson LLP

/Tom Hunter/

Tom Hunter  
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